

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 222 of this title.

§ 222. Completion of organization

A majority of the persons named in section 221 of this title and other persons selected from the membership of the Reserve Officers Association of the United States, an unincorporated association with national headquarters in the District of Columbia, met in national convention in Denver, Colorado, on June 16, 17, 18, and 19, 1948, and then and there, by and through duly elected delegates, adopted a national constitution and bylaws, elected national officers for such association, and did other acts and things necessary to the organization and continuance of the association. Such meeting in national convention, and the doing of such acts and things, on such dates, shall be held and considered to be a completion of the corporate organization of the Reserve Officers Association of the United States, the corporation created by this chapter.

(June 30, 1950, ch. 431, § 2, 64 Stat. 313.)

§ 223. Object and purpose of corporation

The object and purpose of the corporation shall be to support a military policy for the United States that will provide adequate national security and to promote the development and execution thereof.

(June 30, 1950, ch. 431, § 3, 64 Stat. 313.)

§ 224. Powers of corporation

The corporation shall have perpetual succession and power—

- (1) to sue and be sued;
- (2) to acquire, hold, lease, and dispose of such real and personal property as may be necessary to carry out the corporate object and purpose;
- (3) to accept gifts, legacies, and devises in furtherance of the corporate object and purpose;
- (4) to adopt and alter a corporate seal;
- (5) to adopt and alter a constitution and bylaws not inconsistent with the laws of the United States or of any State;
- (6) to establish, regulate, and discontinue subordinate departmental subdivisions and local chapters;
- (7) to adopt and alter emblems and badges;
- (8) to publish a newspaper, magazine, or other publications; and
- (9) to do any and all acts and things necessary and proper to carry out the object and purpose of the corporation.

(June 30, 1950, ch. 431, § 4, 64 Stat. 313.)

§ 225. Membership

Eligibility for membership in the corporation shall be determined according to the constitution and bylaws of the corporation.

(June 30, 1950, ch. 431, § 5, 64 Stat. 313.)

§ 226. Officers

Officers of the corporation shall be a president, three vice presidents, three junior vice

presidents, three national executive committeemen, an executive director, a national treasurer, judge advocate, surgeon, chaplain, historian, public relations officer, and such other officers as may be determined in national convention by the corporation.

(June 30, 1950, ch. 431, § 6, 64 Stat. 313.)

§ 227. National executive committee**(a) Composition**

The governing body of the corporation shall be a national executive committee consisting of the president, the last past president, three vice presidents, three junior vice presidents, three national executive committeemen, and the executive director. Each of such persons constituting the national executive committee, except the executive director, shall have one vote upon all matters determined by the committee.

(b) Election of national officers; tenure; appointments

The national officers of the corporation shall be elected at an annual national convention and shall hold office for one year or until their successors have been duly elected and qualified, except the executive director, the national treasurer, and the national public relations officer, who shall be appointed by the national executive committee. In the event of the death, inability to serve, or resignation of any member of the national executive committee, other than the last past president or the president, the vacancy shall be filled by the existing members of the national executive committee. Any person appointed by the committee to fill a vacancy shall serve until the next national convention when his successor shall be elected for the unexpired term, if any, caused by the vacancy. The national vice president of the same service as the president shall assume the duties and have the powers of the president in the event of his death, inability to serve, resignation, or absence.

(c) Composition of national convention

The national convention shall be composed of delegates elected by the various departments.

(d) Composition of initial national executive committee

The present national executive committee is composed of the following: Colonel Clarence E. Barnes, Military Intelligence Reserve, Guthrie, Oklahoma; Colonel William H. Neblett, United States Air Force Reserve, 815 Fifteenth Street Northwest, Washington, District of Columbia; Colonel Henry G. Nulton, Infantry Reserve, 2 Broad Street, Elizabeth, New Jersey; Commander John P. Bracken, United States Naval Reserve, 2107 Fidelity-Philadelphia Trust Building, Philadelphia 9, Pennsylvania; Colonel Morris J. Brummer, United States Air Force Reserve, 2017 Mariposa Street, Fresno, California; Colonel Horace B. Hanson, Junior, Corps of Engineers Reserve, 700 Eighth Terrace, West Birmingham 4, Alabama; Captain Robert A. Hall, United States Marine Corps Reserve, 4229 Emerson Street, Dallas, Texas; Captain Milton Zacharias, United States Air Force Reserve, 241 North Broadview, Wichita, Kansas; Brigadier General

Donald B. Adams, Organized Reserve Corps, 391 Beachmont Drive, New Rochelle, New York; Captain Jesse Draper, United States Naval Reserve, Grant Building, Atlanta, Georgia; Captain Richard L. Wynes, United States Air Force Reserve, 2360 Coates Street, Dubuque, Iowa; and Brigadier General E. A. Evans, Organized Reserve Corps, 6336 Thirty-first Place Northwest, Washington, District of Columbia.

(e) Voting

In conducting the official business of any department or chapter each active member of such department or chapter shall have one vote.

(June 30, 1950, ch. 431, § 7, 64 Stat. 313.)

§ 228. Acquisition of assets and liabilities of existing association

The corporation may acquire any or all of the assets of the unincorporated association, known as the Reserve Officers Association of the United States, upon discharging or satisfactorily providing for the payment and discharge of all the liabilities of such unincorporated association.

(June 30, 1950, ch. 431, § 8, 64 Stat. 314.)

§ 229. Prohibition against issuance of stock or business activities

The corporation shall have no power to issue capital stock or to engage in business for pecuniary profit or gain.

(June 30, 1950, ch. 431, § 9, 64 Stat. 314.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 230. Nonpolitical nature of corporation

The corporation, and its members and officers as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(June 30, 1950, ch. 431, § 10, 64 Stat. 314.)

§ 231. Distribution of income or assets to members

No part of the income or assets of the corporation shall inure to any member or officer thereof, or be distributable to any such person except upon dissolution and final liquidation of the corporation when, after the discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation shall be divided equally among the then active members and officers.

(June 30, 1950, ch. 431, § 11, 64 Stat. 314.)

§ 232. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(June 30, 1950, ch. 431, § 12, 64 Stat. 314.)

§ 233. Books and records; inspection

The corporation shall keep current and complete books and records of account and shall

also keep minutes of the proceedings of the national conventions, the national executive committee, and the national council. It shall keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

(June 30, 1950, ch. 431, § 13, 64 Stat. 314.)

§ 234. Loans to officers; liability

The corporation shall not make any loans to its officers or members of the national executive committee. Any member of the national executive committee who votes for or assents to the making of a loan or advance to an officer of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(June 30, 1950, ch. 431, § 14, 64 Stat. 314.)

§ 235. Repealed. Pub. L. 88-504, § 4(12), Aug. 30, 1964, 78 Stat. 637

Section, act June 30, 1950, ch. 431, § 15, 64 Stat. 315, related to audit of financial transactions and report of such audit to Congress. See sections 1101 to 1103 of this title.

§ 236. Headquarters; agent for service of process

The national headquarters of the corporation shall be located in the District of Columbia. The corporation shall maintain at all times in the District a designated agent authorized to accept service of legal process for the corporation. Notice to or service upon such agent shall be deemed to be notice to or service upon the corporation.

(June 30, 1950, ch. 431, § 16, 64 Stat. 315.)

§ 237. Agents for service of process

As a condition precedent to the exercise of any power or privilege granted or conferred under this chapter, the corporation shall file in the office of the secretary of state, or similar officer, in each State and in each Territory or possession of the United States, in which subordinate departments and local chapters are organized, the name and post office address of an authorized agent in such State upon whom legal process or demands against the corporation may be served.

(June 30, 1950, ch. 431, § 17, 64 Stat. 315.)

§ 238. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate departmental subdivisions and local chapters shall have the sole and exclusive right to have, and to use in carrying out its object and purpose, the name of "Reserve Officers Association of the United States" and such seals, emblems, and badges as the corporation may lawfully adopt.

(June 30, 1950, ch. 431, § 18, 64 Stat. 315.)